

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JARMAAL SMITH,

Plaintiff,

v.

DR. N. ADAMS, et al.,

Defendants.

No. C 10-4389 CW (PR)

ORDER GRANTING "MOTION TO
AMEND FILING FEE WITH PBSP"
AND ACKNOWLEDGING FILING
FEE IS PAID IN FULL

(Docket no. 71)

Plaintiff, a state prisoner incarcerated at Pelican Bay State Prison (PBSP), filed this pro se civil rights action pursuant to 42 U.S.C. § 1983. On March 26, 2013, the Court granted Defendants' motion for summary judgment and entered judgment in favor of Defendants.

On July 31, 2013, Plaintiff filed this motion entitled, "Motion to Amend Filing Fee with Pelican Bay State Prison," in which he states that, on July 9, 2013, his family sent a money order in the amount of \$111.81 to the Court to pay the balance due on his filing fee of \$350. However, the PBSP trust office keeps withdrawing money from his trust account as if the filing fee were unpaid. Plaintiff indicates that the PBSP trust office has informed him that funds will continue to be taken out of his account until it receives a Court order indicating that the filing fee has been paid in full.

On September 17, 2013, the Court's finance department entered on the docket of this case Plaintiff's Payment Record Card indicating that his fee has been paid in full. See Doc. no. 74. For good cause shown, Plaintiff's "Motion to Amend Filing Fee with

1 PBSP" is granted. The Clerk of the Court shall send to the PBSP
2 trust office a copy of this Order and a copy of docket number 74,
3 Plaintiff's Payment Record Card indicating that his filing fee has
4 been paid in full. The PBSP trust office shall not take any
5 additional funds from Plaintiff's trust account to pay the filing
6 fee for this case.

7 Additionally, Plaintiff's request for the Court to remit to
8 his PBSP trust account any funds it received in excess of the \$350
9 filing fee is granted. A copy of this Order also shall be sent to
10 the Court's finance department.

11 This Order terminates Docket no. 71.

12 IT IS SO ORDERED.

13
14 DATED: 10/2/2013


CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE